



Order Filed on November 12, 2019
by Clerk
U.S. Bankruptcy Court
District of New Jersey

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY
Caption in Compliance with D.N.J. LBR 9004-1

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Debtor-in-Possession*

In re:

HOLLISTER CONSTRUCTION SERVICES, LLC,¹

Debtor.

Chapter 11

Case No. 19-27439 (MBK)

**ORDER APPROVING SETTLEMENT AND COMPROMISE BY AND
AMONG THE DEBTOR, TIPICO PRODUCTS CO., INC. AND VARIOUS
SUBCONTRACTORS PURSUANT TO FED. R. BANKR. P. 9019**

The relief set forth on the following pages, numbered two (2) through and including three (3), is hereby **ORDERED**.²

DATED: November 12, 2019


Honorable Michael B. Kaplan
United States Bankruptcy Judge

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Debtor: Hollister Construction Services, LLC

Case No.: 19-27439 (MBK)

Caption: Order Approving a Settlement and Compromise By and Among the Debtor, Tipico Products Co., Inc. and Various Subcontractors Pursuant to Fed. R. Bankr. P. 9019

Upon the motion (the “Motion”) of the above-captioned debtor and debtor-in-possession, Hollister Construction Services, LLC (the “Debtor”), for entry of an Order Approving a Settlement and Compromise By and Among the Debtor, Tipico Products Co., Inc. (“Tipico”) and various Subcontractors³ Pursuant to Fed. R. Bankr. P. 9019, and the Court having jurisdiction over the Motion pursuant to 28 U.S.C. §§ 157 and 1334 and the *Standing Order of Reference to the Bankruptcy Court Under Title 11* of the United States District Court for the District of New Jersey entered on July 23, 1984, as amended on September 18, 2012 (Simandele, C.J.); and the Court having found that the Motion is a core proceeding pursuant to 28 U.S.C. § 157(b)(2), and the Court having found that it has the authority to enter a final order consistent with Article III of the United States Constitution; and the Court having found that the venue of this proceeding and the Motion in this District is proper pursuant to 28 U.S.C. §§ 1408 and 1409; and the Court having found that the relief requested in the Motion is in the best interests of the Debtor’s estate, its creditors and other parties-in-interest; the Court having found that the Debtor’s notice of the Motion and opportunity for a hearing on the Motion were appropriate under the circumstances and that no other notice of the Motion need be provided; and the Court having reviewed the Motion and having heard the arguments and statement of counsel in support of the relief requested therein at a hearing held before the Court on November 7, 2019 (the “Hearing”); and the Court having considered the Objection filed by the United States Trustee [Docket No. 420], the Committee’s objection and any other opposition to the Motion (collectively, the “Objections”); and the Court having determined that good cause exists for granting the relief requested;

IT IS HEREBY ORDERED as follows:

1. The Motion is **GRANTED** as set forth herein.

³ Terms not otherwise defined herein shall have the meanings afforded to them in the Motion [Docket No. 396].

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Debtor: Hollister Construction Services, LLC

Case No.: 19-27439 (MBK)

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2. The Objections are overruled as stated on the record at the Hearing.

3. The Settlement Agreement is hereby approved pursuant to Bankruptcy Rule 9019. The Debtor, Tipico and the Subcontractors are authorized and directed to fulfill their respective obligations under the Settlement Agreement and execute all documents necessary to effectuate the Settlement Agreement.

4. For the avoidance of doubt, the preference waiver granted at Paragraph 10 of the Settlement Agreement shall only be with respect to any claims of the Debtor's estate against Subcontractors with respect to and related to the Tipico Project.

5. Notice of the Motion as provided is hereby deemed good and sufficient notice and no further notice is required.

6. This Order is effective immediately upon its entry and the provisions of Bankruptcy Rules 6004(h) and/or 6006(b) are hereby waived.

7. The requirement set forth in Local Rule 9013-1(a)(3) that any motion be accompanied by a memorandum of law is hereby deemed satisfied by the contents of the Motion or otherwise waived.

8. The Court shall retain jurisdiction to hear and determine any and all matters or disputes arising from or related to the implementation, enforcement and/or interpretation of this Order and the Settlement Agreement.